

### **REMARKS**

Reexamination and reconsideration is respectfully requested in light of the foregoing proposed amendment to the claim 13 and the following remarks.

Claims 1, 5, 6 and 11-13 are pending in this application. Claim 13 has been amended to be dependent on claim 12. Claims 2-4 and 7-10 were canceled by previous amendments.

Applicant notes the Examiner's consideration of the information cited in the Information Disclosure Statement filed February 22, 2006, as acknowledged in the Office Action Summary.

#### **Objection to Claim 13**

Claim 13 was objected to because, according to the Examiner, it should be dependent on claim 12, and not claim 11. The claim has been amended to be dependent on claim 12. By this amendment, the objection should be overcome.

#### **Rejection Of Claims Under 35 U.S.C. § 103**

Claims 1, 5, 6 and 11-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki et al. (U.S. Patent No. 5,828,780) in view of Ito et al. (U.S. Patent No. 5,884,120). According to the Examiner, Suzuki et al. disclose an image processing comprising a decision controller "for determining for each page of [a] print job whether or not image data on said each page are data within a color reproduction range ..." and a color compressing controller "for compressing image data ... using the decided parameters ...."

The Examiner acknowledges, however, that Suzuki et al. fail "to teach an image processing apparatus having a memory for memorizing all of the plural pages of [a print] job and wherein image data as taught by Suzuki comprising plurality of pages." For this deficiency, the Examiner relies on Ito et al. and what the Examiner characterizes is well known in the art.

According to the Examiner, Ito et al. disclose an apparatus having a memory “for memorizing all of the plural pages” and that “it is well known in the art that an image data comprising plurality of pages,” in view of a teaching in Ito et al. The latter argument is not understood, however, Ito et al. disclose storing only four pages in memory and printing the four pages on a single page (col. 7, lines 30-35).

From these teachings, the Examiner concludes that “[i]t would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify image processing apparatus of Suzuki to process image data with plurality of pages as per teachings of Ito ... to prevent the entire color image from losing the color attractiveness due to effect by data of a few pixel data outside the color reproduction range ... [and] to allow an image processing device of Suzuki to process print job with multiple pages” The Examiner further finds the combination of references renders the invention obvious because “it would have been obvious to determine whether all pages of an image data (e.g. print job) is within a reproduction range or not, and to perform color compression accordingly to all pages of image data (e.g. print job) to ensure all print data are outputted within a color reproduction range of an output device.” Applicant respectfully traverses the rejection.

The invention is directed to performing color compression on all originals of a print job in order to provide uniform color reproduction of each original in the print job. This concept and Applicant’s solution to the problem of uniform color production is not taught by the Suzuki et al. and Ito et al., taken alone or in combination.

The Examiner correctly notes that Suzuki fails to disclose or suggest an apparatus or method for storing in memory all pages of a print job and then using a color compressor as

required by the present claims to perform color compression uniformly for all pages. However, the teachings of Ito et al. would not render obvious the invention recited in claim 1, which is directed to an apparatus that comprises (i) a memory for memorizing all of the plural pages of the job, (ii) a decision controller for determining for each page of all said plural pages whether or not image data on said each page are data within a color reproduction range of the output device and deciding parameters to be used for color correction on a job basis; and (iii) a color compressing controller for compressing all said plural pages using the decided parameters so as to supply the processed data to the output device.

First, Suzuki et al. is directed to processing a single document, and not to a plurality of documents. The suggestion to modify Suzuki et al. to process multiple pages did not come from Ito et al., but only could have come from Applicant's disclosure. The decision controller in Ito et al. determines only if the page to be stored in memory is a color document or a monochrome document. The Ito et al. invention is directed to image reduction to print 4 pages of documents on a single sheet. While the data is sent to an image data processing unit and compressed to be written to code memory, there is no disclosure of (i) determining that the data is within the color reproduction range of the output device and (ii) selecting the parameters that would provide uniform color production of all of the pages of the print job as required by the claims.

Second, the basis for the Examiner's holding of obviousness lacks merit. The Examiner asserts as one of the basis for obviousness that it would have been obvious to modify Suzuki "to prevent the entire color image from losing the color attractiveness due to effect by data of a few pixel data outside the color reproduction range." It is not clear how this reason would modify Suzuki et al. to store multiple pages of a print job into memory, which the Examiner

acknowledges is the deficiency of Suzuki et al. The Examiner has not provided any cogent reasoning of how this basis for obviousness is related to the deficiency. The Examiner further asserts as a basis for obviousness that it would have been obvious to modify Suzuki et al. “to allow an image processing device of Suzuki to process print job with multiple pages” Again, there is no cogent reasoning presented by the Examiner to explain how the teachings of Ito et al. would have motivated a person having ordinary skill in the art to modify Suzuki et al. to arrive at the claimed invention. The Examiner further finds the combination of references renders the invention obvious because “it would have been obvious to determine whether all pages of an image data (e.g. print job) is within a reproduction range or not, and to perform color compression accordingly to all pages of image data (e.g. print job) to ensure all print data are outputted within a color reproduction range of an output device.” There is simply no teaching or suggestion in Ito et al. for this conclusion. Ito et al. do not perform determination of whether the data for each page is within the color reproduction range of the output device, let alone using color compression on all pages of a print job to provide for uniform color for all pages outputted from the output device.

Third, there is no suggestion in Suzuki et al. to determine whether data of multiple images stored in memory are within a color reproduction range of the output device and deciding parameters to apply to the multiple images and then to compress the data using these parameters to provide uniform color reproduction for all images. The Ito et al. patent is directed to reduction of images to fit onto a single page or sheet of paper. Suzuki et al. is not directed to image reduction, but to color correction. There is simply no reason to modify Suzuki et al. to provide for printing

multiple images on a single sheet since Suzuki et al. is directed to color correction of a single image only.

As for the claimed method set forth in base claim 11, for similar reasons as set forth above, the references fail to disclose or suggest the claimed method. Claim 11 requires processing plural pages of a job to be given to an output device and providing a memory for memorizing all of the plural pages of the job. The Examiner has determined the Suzuki et al. do not teach this step. While Ito et al. disclose providing a memory to store pages, the invention in Ito et al. is directed to storing only 4 pages at a time, reducing pages and reproducing the pages on a single sheet.

Claim 11 further requires determining for each page of said plural pages whether or not image data on said each page are data within a color reproduction range of the output device. This step is not taught or suggested by either Suzuki et al. or Ito et al., taken alone or in combination. Suzuki et al. subject a single image to this determination. There is no suggestion for making such a determination for multiple images. As for Ito et al., there is no teaching that each page is subject to a determination of whether the data for each page is within a color reproduction range of the output device.

Lastly, claim 11 requires deciding parameters to be used for color correction on a job basis; and compressing all of said plural pages using the decided parameters so as to supply the processed data to the output device. This step is not suggested in Suzuki et al. which is limited to processing a single image. As for Ito et al., there is no disclosure that the data for four pages is compressed using the same parameters for color correction for each page to be outputted to the output device.

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For all of the foregoing reasons, there is no motivation or suggestion from the teachings of the reference to combine Suzuki et al. and Ito et al. to establish a *prima facie* case of obviousness. It is respectfully requested that rejection of claims 1, 5, 6 and 11-13 under 35 U.S.C. 103(a) be reconsidered and withdrawn.

### **Conclusion**

Accordingly, it is urged that the amendment be entered to overcome the rejection of record. Entry of the amendment and favorable reconsideration of this application, as amended, are respectfully requested.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicant's attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due under 37 C.F.R. § 1.17 and due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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